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'OPERATION FASTLINK' DEFENDANT PLEADS
GUILTY TO ONLINE SOFTWARE PIRACY

WASHINGTON, D.C. - Assistant Attorney General Christopher A. Wray of the Criminal Division and U.S. Attorney Johnny Sutton of the Western District of Texas announced today that a San Antonio, Texas man has pleaded guilty to charges related to his role in an underground network that distributed pirated software, games, movies and music over the Internet.

Joshua Abell, 24, of San Antonio, Texas, entered the plea before U.S. Magistrate Judge Nancy Nowak at the U.S. District Court in San Antonio, Texas. Abell is the third individual to be convicted as a result of an investigation known as "Operation Fastlink," the largest multi-national law enforcement action ever taken against online software piracy. Abell pleaded guilty to a two-count felony information charging copyright infringement and conspiracy to commit copyright infringement. Abell faces a maximum sentence of 10 years in prison when he is sentenced on May 26, 2005 before U.S. District Judge Orlando Garcia.

"Today's conviction, the third in conjunction with Operation Fastlink, demonstrates the Department of Justice's continuing commitment to the aggressive pursuit of intellectual property criminals," said Assistant Attorney General Wray. "The Department is committed to prosecuting all forms of intellectual property theft, including piracy over the Internet, and today's felony plea sends a clear signal to others that online piracy is not a consequence-free activity."

Operation Fastlink, which is still ongoing, is the Department of Justice's most aggressive and far-reaching criminal enforcement effort directed at intellectual property crime to date. In April 2004, then-Attorney General John Ashcroft announced that Operation Fastlink investigators conducted over 120 searches in 27 states and 11 foreign countries, including Belgium, Denmark, France, Germany, Hungary, Israel, the Netherlands, Singapore, Sweden, Great Britain and Northern

Ireland. Subsequent action was taken in Spain, bring the total number of foreign nations involved to 12. Nearly 100 individuals worldwide were identified by the investigation as leaders or high-level members of various international piracy organizations.

“The Internet has opened up wonderful and exciting new ways to communicate across the world. However, this new technology can be abused by those who desire to take what is not theirs,” said U.S. Attorney Johnny Sutton, Western District of Texas. “Today’s guilty plea sends a clear message that you cannot get away with theft and piracy through anonymity on the Internet.”

In entering his plea today, Abell admitted to participating in a criminal conspiracy dedicated to the illegal reproduction and distribution of copyright protected software, including movies, games, music and business utility programs. According to documents filed in federal court, Abell was a member of the “warez scene” - an underground online community that consists of individuals and organized groups who use the Internet to engage in large-scale, illegal distribution of copyrighted works. Warez groups often obtain copyrighted products before they are available to the general public. These groups use sophisticated technical skills to circumvent or “crack” the digital copyright protections embedded in the copyrighted works, and then distribute the pirated software to various file servers on the Internet for others to access, reproduce, and further distribute worldwide. Within hours of the newly pirated product being distributed to the warez scene, it is often widely available to the public for free download on peer-to-peer and public IRC networks around the world.

Operation Fastlink has been conducted under the direction of the Federal Bureau of Investigation and the Department of Justice’s Computer Crime and Intellectual Property Section. The investigation is continuing. This case was prosecuted by Assistant U.S. Attorney Richard Richards from the Southern District of Iowa, Assistant U. S. Attorney Larry Matthews of the Western District of Texas, and the Computer Crime and Intellectual Property Section Trial Attorney Clement J. McGovern.

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